

# Nevada Council for Food Security: Legal Authority and Obligations

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# Road Map

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- Statutory Duties
- Council Recommendations on Policy
- Overview of Open Meeting Law & Ethics in Government Provisions

# Council for Food Security: The Origin Story

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February 12, 2014: Governor Brian Sandoval issued Executive Order 2014-03, creating the Governor's Council on Food Security

- Objective: Implement the goals of *Food Security in Nevada: Nevada's Plan for Action* and effectively improve the quality of life and health of Nevadans by increasing food security throughout the State

May 23, 2019: Governor Steve Sisolak signs into law Senate Bill 178, establishing the Council on Food Security in statute

- Codified at NRS 232.4966 – 232.4968, inclusive
- Mirrors the language from EO 2014-03

# Duties: Obligations and Authority

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**NRS 232.4968 Duties.** The Council on Food Security created by [NRS 232.4966](#) shall:

1. Develop, coordinate and implement a food system that will:
  - (a) Partner with initiatives in economic development and social determinants of health;
  - (b) Increase access to improved food resource programs;
  - (c) Increase participation in federal nutrition programs by eligible households; and
  - (d) Increase capacity to produce, process, distribute and purchase food in an affordable and sustainable manner.
2. Hold public hearings to receive public comment and to discuss issues related to food security in this State.
3. Serve as a clearinghouse for the review and approval of any events or projects initiated in the name of the Plan.
4. Review and comment on any proposed federal, state or local legislation and regulation that would affect the food policy system of this State.
5. Advise and inform the Governor on the food policy of this State.
6. Review grant proposals and alternative funding sources as requested by the Director to provide recommendations for funding the Plan.
7. Develop new resources related to the Plan.
8. Advise, assist and make recommendations to the Director for the creation and administration of the Program.
9. On or before January 31 of each year submit an annual report to the Director and the Director of the Legislative Counsel Bureau concerning the accomplishments and recommendations of the Council concerning food security.

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3. ~~Serve as a clearinghouse for the review and approval of any events or projects initiated in the name of the Plan.~~
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# Other Governing Provisions of Law

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Boards and Commissions are subject to:

- The Open Meeting Law: NRS Chapter 241
- The Ethics in Government Act: NRS Chapter 281A
- Provisions relating to lobbying: NRS Chapter 218H

# Recommendations on Policy

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Council specifically authorized to: “Review and comment on any proposed federal, state or local legislation and regulation that would affect the food policy system of this State.”

- Formal reports
- Testimony

NRS 218H.080(2) exempts from the lobbying provisions “persons who confine their activities to formal appearances before legislative committees and who clearly identify themselves and the interest or interests for whom they are testifying”

To conform with Open Meeting Law, the council must specifically authorize an individual to appear before the Legislature on their behalf during a properly noticed public meeting

# Open Meeting Law

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AGO Training: [https://ag.nv.gov/Hot\\_Topics/Training\\_Materials/](https://ag.nv.gov/Hot_Topics/Training_Materials/)

Key points to remember:

- No communications between a quorum of members outside of a properly noticed meeting
- No serial communications
- Subcommittees appointed by the Council are subject to the same provisions
- Public comment periods must be provided, with only reasonable restrictions
- Changes during 81<sup>st</sup> Legislative Session (2021)



# Ethics in Government

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AGO Training: [https://ag.nv.gov/Hot\\_Topics/Training\\_Materials/](https://ag.nv.gov/Hot_Topics/Training_Materials/)

Key points to remember:

- Disclosure: mandatory for any interest created by: a gift, substantial pecuniary interest, commitment in a private capacity
  - Must be made at time the matter is considered
  - Sufficient to inform public
- Abstention: only required in clear cases where judgment of a reasonable person in same position would be materially affected
  - Determination must be made on the record
- No misuse of official position (deliberation/action)

# Questions?

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*Please feel free to reach out:*

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